IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINETH DAY OF JUNE
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 10732 of 2004

Between:
Akkineni Janardhana Rao, s/o Venkata Ratnam,
D.No.24-14-3, R.V.Nagar, Rajahmundry, East Godavari District.
..... PETITIONER

AND

1 The Commissioner, Municipal Corporation,
Rajahmundry, East Godavari District.
2 The Commissioner of Income Tax, Rajahmundry, East Godavari District.
3 Nimmalapudi Rama Krishna, Secretary, Cosmopolitan Club,
Near III Town Police Station, Rajahmundry, East Godavari District.
....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other writ to the respondents herein declaring the resolution dated 2-5-2004 in the General body meeting as illegal, arbitrary and contrary to the principles of natural justice and consequently direct the 3rd respondent to continue the petitioner as a member of the cosmopolitan Club, Rajahmundry and direct the men of respondents 1 & 2 not to harass the petitioner.

For the Petitioner: MR. B. GAJENDER REDDY, Advocate

For the Respondent No.1: MR.SRINIVAS DAMMALAPATI,
SC for Municipality

For the Respondent No.2: Mr. S.R. Ashok, SC for Income Tax

For the Respondent No.3: None

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioner, the learned Standing Counsel for first respondent Municipal Corporation and Standing Counsel for second respondent-Income Tax and with their consent the writ petition itself is taken up for final disposal at the admission stage.

Aggrieved by the resolution dated 2-5-2004 passed by the third respondent- Cosmopolitan club, suspending the membership of petitioner in the club, the petitioner filed this writ petition.

Inasmuch as the *lis* in this writ petition is against the impugned resolution of the third respondent-club, which is a private organization and not a State within the meaning of Article 12 of the Constitution of India, no writ can lie.

Therefore, the writ petition is dismissed. No costs.

N.V. RAMANA, J

Date: 29-06-2004

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To

1 The Commissioner, Municipal Corporation,
Rajahmundry, East Godavari District.
2 The Commissioner of Income Tax, Rajahmundry,
East Godavari District.
3 Two CD copies.